

#65 / *Suppl
Prior
Art*

PATENT
Attorney Docket No. 8810-D7964
Express Mail No.: EJ123010975US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)

Gary K. Michelson, M.D.)

Serial No.: 08/480,908)

Filed: June 7, 1995)

For: THREADED FRUSTO-CONICAL)
INTERBODY SPINAL FUSION)
IMPLANTS)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Group Art Unit: 3764

Examiner: M. Brown

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**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final Action or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement includes a certification as specified by Section 1.97(e).

Each document listed in this Information Disclosure Statement was cited in a communication from the European Patent Office in a counterpart foreign application, and this Information Disclosure Statement is being filed within three months of the mailing date of that communication. A copy of the Search Report is attached.

Copies of the listed documents are attached.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.


Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-1066.

Respectfully submitted,

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Date: November 3, 1999



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INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

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Atty. Docket No. 8810-D7964		Serial No. 08/480,908				
Applicant Gary K. Michelson						
Filing Date June 7, 1995		Group: 3764				
U.S. PATENT DOCUMENTS						
Examiner Initial*	Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
FOREIGN PATENT DOCUMENTS						
	Document Number	Date	Country	Class	Sub Class	Translation Yes or No
	0 551 187 A1	07/14/93	Europe			
	0 732 093 A2	09/18/96	Europe			
	43 02 397 A1	07/29/93	Germany			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
	European Search Report dated August 4, 1999.					
Examiner			Date Considered			
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.						
Form PTO 1449			Patent and Trademark Office - U.S. Department of Commerce			